

JUN 25 2008

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA                     )  
   )  
   )     CR. NO. 2:08CR57-MEF  
   )                     [18 USC 922(g)(1);  
DOUGLAS EUGENE MARTIN                     )                     18 USC 373(a)]  
   )  
   )     SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT 1

On or about June 16, 2007, in Chilton County, within the Middle District of Alabama,

DOUGLAS EUGENE MARTIN,

defendant herein, having been convicted of the following felony offense, a crime punishable by imprisonment for a term exceeding one year under the laws of the United States, to-wit:

August 2, 1995, Felon in Possession of a Firearm, 18 United States Code, Section 922(g)(1), case number 2:94-cr-00243-WHA, in the United States District Court for the Middle District of Alabama;

did knowingly possess in and affecting commerce firearms, to-wit:

- 1) a Smith and Wesson, Model 5906, 9 mm pistol;
- 2) a Smith and Wesson, Model 60, .357 Magnum revolver; and
- 3) a Leinad, Model PM11, 9mm firearm;

better descriptions of which are unknown to the grand jury, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 2

On or about October 13, 2007, in Chilton County, within the Middle District of Alabama,

DOUGLAS EUGENE MARTIN,

defendant herein, having been convicted of the following felony offense, a crime punishable by imprisonment for a term exceeding one year under the laws of the United States, to-wit:

August 2, 1995, Felon in Possession of a Firearm, 18 United States Code, Section 922(g)(1), case number 2:94-cr-00243-WHA, in the United States District Court for the Middle District of Alabama;

did knowingly possess in and affecting commerce ammunition, to-wit:

- 1) fifty live rounds of CCI Blazer, .40 caliber ammunition;
- 2) seven live rounds of Federal Classic, .44 magnum ammunition; and
- 3) two live rounds of Remington, .223 caliber ammunition;

in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 3

Between on or about March 21, 2008, and on or about April 28, 2008, in Montgomery County, within the Middle District of Alabama,

DOUGLAS EUGENE MARTIN,

defendant herein, with the intent that C.F. and C.J. engage in conduct constituting a felony that has as an element the use of physical force against the person of another in violation of the laws of the United States, and under circumstances strongly corroborative of that intent, did solicit, command, induce and endeavor to persuade C.F. and C.J. to engage in such conduct, to wit: to kill M.H. with intent to prevent his attendance or testimony in an official proceeding, in violation of Title 18, United States Code, Section 1512(a)(1)(A).

All in violation of Title 18, United States Code, Section 373.

FORFEITURE ALLEGATION

A. Counts 1 through 3 of this superseding indictment are hereby repeated and incorporated herein by reference.

B. Upon conviction of Count 2 of this superseding indictment, the defendant,

DOUGLAS EUGENE MARTIN,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924 and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including, but not limited to, the following:

- 1) fifty live rounds of CCI Blazer, .40 caliber ammunition;
- 2) seven live rounds of Federal Classic, .44 magnum ammunition; and,
- 3) two live rounds of Remington, .223 caliber ammunition.

C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be divided without

difficulty, the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an Order of this Court forfeiting any other property of said defendant up to the value of the property described in the above paragraphs.

A TRUE BILL:

Maria A. Halleng  
Foreperson

Patricia L. Watson as Acting US Attorney  
LEURA G. CANARY  
UNITED STATES ATTORNEY

Tommie Brown Hardwick  
Tommie Brown Hardwick  
Assistant United States Attorney

Matthew W. Shepherd  
Matthew W. Shepherd  
Assistant United States Attorney